

Message

From: Moore, Gibbs [Moore.Gibbs@epa.gov]
Sent: 6/21/2021 4:44:42 PM
To: Maignan, Tawanda [Maignan.Tawanda@epa.gov]
CC: Bohnenblust, Eric [Bohnenblust.Eric@epa.gov]
Subject: RE: Some Assistance Regarding FOIA requests EPA-2021-000906 and EPA-2021-002684

Sorry Tawanda, I meant to send the email below to you but forgot to change the address so sent it to myself instead. As a follow-up to my last email, no one knew why the six states were left unnamed in the report or what those states were, correct?

From: Moore, Gibbs <Moore.Gibbs@epa.gov>
Sent: Monday, June 21, 2021 12:41 PM
To: Moore, Gibbs <Moore.Gibbs@epa.gov>
Subject: RE: Some Assistance Regarding FOIA requests EPA-2021-000906 and EPA-2021-002684

Tawanda as a follow-up, no one knew why the six states were left unnamed in the report or what those states were, correct?

From: Moore, Gibbs <Moore.Gibbs@epa.gov>
Sent: Wednesday, June 9, 2021 9:43 AM
To: Moore, Gibbs <Moore.Gibbs@epa.gov>
Subject: RE: Some Assistance Regarding FOIA requests EPA-2021-000906 and EPA-2021-002684

Oops, I mean Tawanda. But that's a great help, thanks!

From: Moore, Gibbs
Sent: Wednesday, June 9, 2021 9:30 AM
To: Maignan, Tawanda <Maignan.Tawanda@epa.gov>
Subject: RE: Some Assistance Regarding FOIA requests EPA-2021-000906 and EPA-2021-002684

Thanks Maignan I appreciate it!

From: Maignan, Tawanda <Maignan.Tawanda@epa.gov>
Sent: Wednesday, June 9, 2021 9:29 AM
To: Moore, Gibbs <Moore.Gibbs@epa.gov>
Subject: RE: Some Assistance Regarding FOIA requests EPA-2021-000906 and EPA-2021-002684

Hello Gibbs,

I do have some recall, the list of names are as follows:

- Alex Dunn
- Rick Keigwin
- Ed Messina
- Mike Goodis
- Marietta Echeverria
- Dan Rosenblatt
- Michelle Knorr
- Scott Garrison
- Erin Koch

- Cameo Smoot (Liaison to the OIG contact Laurette Joseph)

And myself.

I hope this helps.

Tawanda

From: Moore, Gibbs <Moore.Gibbs@epa.gov>
Sent: Wednesday, June 09, 2021 9:17 AM
To: Maignan, Tawanda <Maignan.Tawanda@epa.gov>
Subject: RE: Some Assistance Regarding FOIA requests EPA-2021-000906 and EPA-2021-002684

Good morning Tawanda,

In my notes I seem to have failed to record the names of the people who would be likely custodians of the Information Earl and I were looking for. Do you recall?

From: Maignan, Tawanda <Maignan.Tawanda@epa.gov>
Sent: Wednesday, June 2, 2021 12:58 PM
To: Moore, Gibbs <Moore.Gibbs@epa.gov>
Subject: RE: Some Assistance Regarding FOIA requests EPA-2021-000906 and EPA-2021-002684

Hello Gibbs,

Yes, I am available at 11:00 AM tomorrow. Please also invite Tamica Cain to the meeting.

Thanks,
Tawanda

*Tawanda Maignan
Emergency Response Team Leader
Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 308-8050*

From: Moore, Gibbs <Moore.Gibbs@epa.gov>
Sent: Wednesday, June 02, 2021 12:47 PM
To: Maignan, Tawanda <Maignan.Tawanda@epa.gov>
Subject: Some Assistance Regarding FOIA requests EPA-2021-000906 and EPA-2021-002684

Good afternoon Tawanda,

I work under Earl Ingram in the Public Information and Records Integrity Branch within The Office of Project Support. We were wondering if you had time to meet tomorrow at 11 to discuss the two cases and who else you might suggest inviting.

The details of the case follow below:

In request # EPA-2021-00906, the requester is seeking "any and all documents concerning EPA's reevaluation of the regulatory process for states to restrict pesticide uses beyond the federal label under Section 24(c) versus Section 24(a) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) dating from January 2017 to the present, specifically with regard to the statement made at footnote 19 on page 20 of the EPA's October 27, 2020 "Memorandum Supporting Decision to Approve Registration for the Uses of Dicamba on Dicamba Tolerant Cotton and Soybean." Available at https://www.epa.gov/sites/production/files/2020-10/documents/dicamba-decision_10-27-2020.pdf."

In conversation with the requester this past Thursday it seems that is interested in any information why footnote of the linked document which reads "FIFRA section 24(a) allows a state to regulate pesticides more restrictively than EPA under the state's own authority. However, some of the states that have imposed cut-off dates on dicamba uses have done so under section 24(c). Section 24(c) only authorizes states to issue registrations for additional uses of federal registrations to meet special local needs; if states wish to impose further restrictions on the dicamba products, or any other federally registered pesticides, they should do so under section 24(a) of FIFRA". After discussion with the requester, we decided that it may be beneficial to include both internal and external communications.

For request EPA-2021-002684, the requester is seeking "Any and all documents involving the Environmental Protection Agency (EPA)'s internal and external communications related to EPA's decision, announced on its website at <https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registrations> – to prohibit the long-standing practice of permitting states to issue FIFRA Section 24(c) Special Local Needs registrations that restrict rather than expand the uses of a registered pesticide, including communications with officers of the Association of American Pesticide Control Officials (AAPCO), and with officials of the six states mentioned on page 8 of the EPA Office of the Inspector General's February 10, 2021 Report titled, "EPA Is at Risk of Not Achieving Special Local Needs Program Goals for Pesticides."

In our discussion with the requester the decided that if we are able to identify the six states that are identified on page 8 of the report which can be found at https://www.epa.gov/sites/production/files/2021-02/documents/epaoig_2020210-21-e-0072.pdf, that we would limit the search to external communications only.

Regards,

Gibbs Moore